

US Appl. No. 10/767 452

Attorney Docket No. 04-11

REMARKS

A drawing has been included to facilitate understanding of the invention. The abstract has been amended to comply with US format.

Drawings

The Examiner objects to lack of drawings in the specification. Applicants submit that one skilled in the art would understand the claims without reference to a drawing. Nevertheless, Applicants have attached herewith a replacement sheet. The elements of the drawing are described in the specification. No new matter has been added.

Abstract

A substitute sheet is attached herewith. A marked-up copy of the abstract is shown below. Applicants submit the amended abstract is in proper form.

The disclosure concerns a [[A]] motor vehicle
fender made of plastics material having a skin separating
the inside and the outside of the fender, wherein ~~skin~~ the
skin possesses a breakable zone suitable for opening when
subjected to thrust from the inside towards the outside of
the fender. The inside of the airbag housing is situated in
register with the breakable zone.

Claims112 Rejections

The Examiner has rejected claims 1-4 has failing to comply with the enabling requirement. Specifically, the Examiner believes reference to a "fender" is undefined and

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argues “fender” could refer a front bumper or side panel. The Examiner also believes claims 3 and 4 are indefinite because the specification does not describe “how the airbag housing is integrally molded with the fender.”

Applicants believe the claims are enabling. The original French application used the word, “aile,” when referring to the claimed article. As understood in the original French, an “aile” is a fender on either side of the hood of a vehicle. An “aile” is not a bumper. Accordingly, the translator rendered “aile” as “fender.” See, e.g., ENGLISH DICTIONARY, Harrap’s Chambers ed. 2003 (defining the primary meaning of “fender” as a wing of a car). Wings are on the side of an object and are not on the front. The Chrysler Corporation and the Society of Automotive Engineers has published a English-French dictionary of automotive terminology that translates “aile” as “fender.” The term, “bumper,” is not listed or suggested. See enclosure.

Furthermore, the specification on page 1, lines 5-6 discusses “the bodywork of a motor vehicle surrounding the junctions between each front fender and the hood.” A motor vehicle includes one front bumper and two fenders on either side of the hood. The language of the specification would make no sense if “fender” meant “bumper.” If only one “fender” is present the word, “each,” would be superfluous at best and more likely erroneous. Claims 1-4 are enabling.

Applicants also believe claims 3 and 4 are not indefinite. Claim 3 describes “the airbag housing situated in register with the breakable zone.” Claim 4 describes the airbag as integrally molded with the fender. In light of the specification, one skilled in the art would appreciate that the airbag must be situated in front of the breakable zone in such a way that, when an airbag violently deploys in its housing, it is able to open up in the

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breakable zone. See specification, page 2 lines 13-15. The claims, when read in light of the specification, are not indefinite.

Applicants submit one skilled in the art would understand the invention as described in the specification. The specification uses standard terminology in the industry and any attempt to read non-standard terminology into the wording results in inconsistencies. The claims are sufficiently clear that one of ordinary skill in the art could produce the invention. Claims 1-4 are enabling, are not indefinite, and comply with 35 USC 112.

102 Rejection – Curry

The Examiner has rejected claims 1 and 3 as anticipated by WO 2002/055343 A1 to Curry. Claim 1 is the only independent claim. Dependent claims stand or fall with the independent claim.

Anticipation exists only where each and every material element of a claim is found in a single reference. Claim 1 describes a fender, that is, a side panel adjacent to the hood of a motor vehicle. Curry teaches a bumper 62 and does not teach or suggest a fender within the meaning of the present invention. Curry lacks at least one material element of claim 1, and cannot anticipate the claim. Claims 1 and 3 are allowable.

103 Rejection

The Examiner has rejected claims 2 and 4 as obvious in light of Curry and US 4,488,745 to Stokes. Claims 2 and 4 depend from claim 1, and are allowable as dependent claims of an allowable claim.

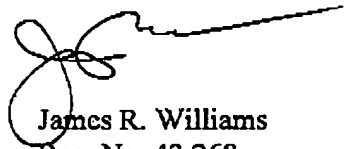
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Applicant believes the claims are in condition for allowance. Applicant requests consideration and allowance of claims 1-4.

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Respectfully submitted,



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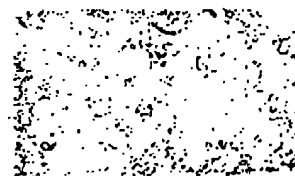
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